

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICO MASSA,

Petitioner,
-against-

UNITED STATES OF AMERICA,

Respondent.

USDC SDNY
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00-cr-4118 (JSR)
18-cv-6469 (JSR) (HBP)

ORDER

JED S. RAKOFF, U.S.D.J.

On August 2, 2019, the Court transferred the habeas petition of defendant Americo Massa to the Second Circuit on the ground that it was a successive petition. See ECF No. 805. The Second Circuit, finding that the habeas petition was not in fact successive, has remanded the petition to this Court for consideration on the merits. As the Court indicated in its August 2 order, the petition presents an argument with substantial merit. Before the Court addresses the petition, however, the Government will have an opportunity to be heard. The Government is directed to submit a brief by March 18, 2020. The petitioner may respond by April 1, 2020.

SO ORDERED.

Dated: New York, NY

March 4, 2020



JED S. RAKOFF, U.S.D.J.